

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

JOHN MONTANO and RUTHIE MONTANO,  
Individually and as Parents and Guardians of  
ZACKARY KYLE MONTANO, a minor, and  
HANNAH JOY MONTANO, a minor,

Plaintiffs,

vs.

Civ. No. 99-344 RLP/WWD

ALLSTATE INDEMNITY COMPANY and  
BILLIE JO MARSH,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Plaintiff's Motion to Compel Defendant, Allstate, to Respond to Interrogatories and Produce Requested Items filed November 23, 1999 [docket 77]. Plaintiff seeks full and complete responses to interrogatories nos. 5, 6, 7, 8, 9, and 12, and to request for production no. 1. Having reviewed the submissions of counsel, I find that Defendant's objections to interrogatories nos. 5 and 8 are well taken, and no further answer will be required to those interrogatories. On or before December 10, 1999, Defendant should furnish full and complete answers to interrogatories nos. 6, 7, and 9. Defendant should also answer interrogatory no. 12(h); provided that the period of time called for shall be reduced to four (4) years, consistent with Fed. R. Civ. P. 26(a)(2)(B). On or before December 10, 1999, Defendant shall submit to the Court and to opposing counsel a privilege log setting out the nature of the

document (letter, etc.), the date of the document, the author of the document, the addressee of the document, the privilege claimed, and the basis for claiming the privilege.

Discovery shall proceed in accordance with the foregoing.

**IT IS SO ORDERED.**

  
UNITED STATES MAGISTRATE JUDGE